

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 9/11/2020
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DONNA HEDGES, <i>on behalf of herself and all other</i>	:	
<i>persons similarly situated,</i>	:	
	:	
Plaintiff,	:	1:20-cv-5950-GHW
-against-	:	
	:	<u>ORDER</u>
REGENT UNIVERSITY,	:	
	:	
Defendant.	:	
-----X	:	

GREGORY H. WOODS, United States District Judge:

On September 11, 2020, the parties submitted a stipulation of dismissal with prejudice, “pursuant to the Federal Rules of Civil Procedure[.]” Dkt. No. 9. The Court declines to act on that submission because the parties failed to review and comply with the Court’s Individual Rules of Practice in Civil Cases, in particular Rule 1(F).

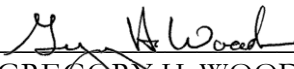
Counsel are directed to review those rules and to determine whether they are requesting that the Court order their dismissal as provided for under FRCP 41(a)(2), or if, instead, they are stipulating to the dismissal of the action without the need for Court approval under FRCP 41(a)(1)(A)(ii). If the latter, the parties may submit a renewed stipulation of dismissal referring to that subsection of the federal rules. If the former, the parties must submit a letter to the Court as required by Rule 1(F) of the Court’s Individual Rules of Practice, mindful that for a court to order a dismissal under that section of the rules, the court must make a determination that the dismissal is “on terms that the court considers proper.” In the event that the parties do not file a stipulation of dismissal pursuant to FRCP 41(a)(1)(A)(ii) prior to September 15, 2020, the joint letter required by

the Court's Individual Rules with respect to a proposed order of dismissal under FRCP 41(a)(2) must be filed by that date.

Plaintiff is directed to serve a copy of this order on Defendant and to retain proof of service.

SO ORDERED.

Dated: September 11, 2020
New York, New York



GREGORY H. WOODS
United States District Judge